

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Alfred Tom  
SERIAL NO.: 10/807,840  
FILING DATE: March 23, 2004 CONFIRMATION No.: 5465  
TITLE: APPARATUS FOR A COMBINATION CAMCORDER-HANDSET DEVICE  
EXAMINER: Justin P. Misleh  
TELEPHONE: (571) 272-7313  
ART UNIT: 2622

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Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(B)**

Sir:

The above-identified patent application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice action plus an extension of time actually obtained:

Applicant personally filed the patent application and indicated a correspondence address as recited on the Restriction Requirement. See ¶ 4 of the Declaration of Alfred Tom. On or about December 5, 2007, Applicant was notified that a communication from the United States Patent and Trademark Office was mailed, May 21, 2007, in this application. See ¶ 8 of the Declaration of Alfred Tom. Applicant states that the entire delay to respond to the outstanding Office action was unintentional, see ¶ 10 of the Declaration of Alfred Tom. Applicant Petitions for the revival of the application as unintentionally being abandoned. To that end, please find enclose payment of the Petition Fee in the amount of \$770.00, as well copy of a response to the outstanding Office action.

For these reasons, Applicant respectfully requests that the application be revived and the response entered.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account 50-2811.

Respectfully submitted,  
THELEN REID BROWN  
RAYSMAN & STEINER LLP

Dated: January 3, 2008



Kenneth C. Brooks  
Reg. No. 38,393

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CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being electronically transmitted or deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

Date: January 3, 2008

By:

  
Jan Steele

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**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on the date printed below:

Date: \_\_\_\_\_ Name: \_\_\_\_\_

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Director for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF ALFRED TOM**

Dear Sir:

I, Alfred Tom, declare as follows:

1. At all times relevant herein I have been over 18 years of age.
2. I am the inventor of the inventions defined by the claims in the above-identified patent application.
3. I file this declaration in support of a Petition For Revival of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(B).
4. On or about March 23, 2004 I filed the patent application, identified above in paragraph 2, with the United States Patent and Trademark Office and indicated an address for correspondence as being: Alfred Tom, 732 St. Mary's Road, Lafayette, California 94549.

5. The correspondence address indicated in paragraph 3 is a residential address where I regularly receive correspondence from the United States Patent and Trademark Office.

6. At the time of the filing of the patent application identified above in paragraph 2, I was not residing at the correspondence address; rather, members of my immediate family reside at the correspondence address.

7. I regularly check to determine what mail is delivered at the correspondence address mentioned in paragraph 5.

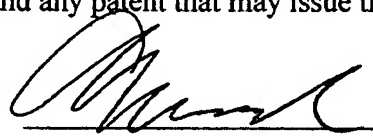
8. On or about December 5, 2007 a patent attorney handling another one of my patent applications notified me that a Restriction Requirement directed to the patent application identified in paragraph 2 was mailed on May 21, 2007.

9. I did not file a response to the Restriction Requirement identified in paragraph 8 and the failure to not file the response was unintentional; however, I did, in fact, receive the Restriction Requirement mentioned in paragraph 8.

10. Thus the entire delay in responding to the Restriction Requirement mentioned in paragraph 2 was unintentional.

The undersign declare that all statement made herein of his own knowledge are true and that all statement made on information and belief are believed to be true; and further that the statement are made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statement may jeopardize the validity of the application and any patent that may issue therefrom.

Dated: 12/28/07

  
Alfred Tom